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10/605,657	10/16/2003	Jui-Hsiang Lo	PMXP0166USA	2656
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NORTH AMERICA INTELLECTUAL PROPERTY CORPORATION P.O. BOX 506 MERRIFIELD, VA 22116			EXAMINER CUTLER, ALBERT H	
			ART UNIT	PAPER NUMBER
			2622	
			NOTIFICATION DATE	DELIVERY MODE
			06/22/2007	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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**Office Action Summary**

Application No.

10/605,657

Applicant(s)

LO, JUI-HSIANG

Examiner

Albert H. Cutler

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 March 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-8 and 10-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 and 10-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. This office action is responsive to communication filed on March 22, 2007.

Claims 1-8 and 10-20 are pending in the application.

#### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1-8 and 10-20 have been considered but are moot in view of the new ground(s) of rejection.

#### ***Claim Rejections - 35 USC § 102***

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

4. Claims 1-4, 8-14, and 17-19 rejected under 35 U.S.C. 102(a) as being anticipated by Kaoru(Japanese Patent Application Publication 2002-335369).

Consider claim 1, Kaoru teaches:

An image editing device("image processing device", 10, figures 1-3) for editing image data captured by a phone camera(40, figures 1 and 4), wherein the image editing device(10) is connected to the phone camera(40) and a mobile phone(The image editing device(10) is connected to a phone(40) with a camera(46, i.e. a phone camera, paragraphs 0017 and 0030). The phone camera is a mobile phone(paragraph 0031), and the image editing device(10) transmits data back to a mobile telephone, paragraph

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0050. Edited image data can also be transmitted to other mobile telephones, see figure 1, paragraphs 0017 and 0050. The image editing device is attached to the phone camera by being attached to the mobile phone. Therefore, the image editing device is attached to a phone camera and a mobile phone.), the phone camera(40, figure 4) comprising a housing(see figure 4), and a connecting port installed on the housing(45, paragraph 0030), the mobile phone(40) comprising a housing(see figures 1 and 4), and a connecting port installed on the housing of the mobile phone(45, paragraph 0030), the image editing device(10) comprising:

- a housing(case, 11, see figures 1 and 2);

- a receiving module("communication link port", 35, paragraph 0026) installed inside the housing(see figure 3) of the image editing device(10) for connecting to the connecting port("communication link port", 45, paragraph 0030) of the phone camera(40) and receiving data from the phone camera(paragraph 0037);

- an editing module(CDROM, 28 and "hard disk", 27) installed inside the housing of the image editing device(see figure 3), the editing module comprising a special effect program for adding special effects to image data for editing data received by the receiving module(The editing module contains various programs which perform the, "edit of the program, the photography, and the photographic subject image" paragraph 0027. The special effects include scribble functions, color, lightness, contrast adjustments, frame processing and scaling, paragraph 0056. See also paragraphs 0040-0042.);

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a memory(ROM, 24 and RAM, 25, figure 3) installed inside the housing of the image editing device(see figure 3) for storing data(paragraph 0024);

a control module("control unit", 21) installed inside the housing of the image editing device(see figure 3, paragraph 0023) for controlling the image editing device(paragraphs 0023-0026); and

an outputting module("communication link port", 35, paragraph 0026) installed inside the housing(see figure 3) of the image editing device(10) for connecting to the connecting port of the mobile phone(45) and outputting data edited by the editing module to the mobile phone(paragraphs 0049-0050).

Consider claim 2, and as applied to claim 1 above, Kaoru further teaches a transmitting module(35) installed inside the housing(11) of the image editing device(10) for connecting to a computer and transmitting data with the computer(Mobile telephone 40 is a computer, paragraph 0031.).

Consider claim 3, and as applied to claim 2 above, Kaoru further teaches that the transmitting module(35) communicates with the computer(40) in the Bluetooth wireless network protocol(paragraphs 0026, 0030, 0031).

Consider claim 4, and as applied to claim 2 above, Kaoru further teaches that the transmitting module(35) communicates with the computer(40) by infrared technology(paragraphs 0026, 0030-0032).

Consider claim 8, and as applied to claim 1 above, Kaoru further teaches a plurality of control buttons(51-56, figure.6) installed on the housing of the image editing device(10, see figure 6) for inputting a control signal(paragraphs 0041-0043).

Consider claim 10, and as applied to claim 8 above, Kaoru further teaches that the plurality of control buttons comprises a hot key for activating the special effect program(Buttons 51-55 act as hot keys to activate various controls of the special effect program, paragraph 0042.).

Consider claim 11, and as applied to claim 1 above, Kaoru further teaches:

A touch panel installed on the housing of the image editing device for inputting a control signal(paragraphs 0041-0043).

Consider claim 12, and as applied to claim 1 above, Kaoru further teaches:

a power supply module installed inside the housing of the image editing device for receiving external electric power and supplying the electric power to the image editing device(Because the image editing device performs functions which require electricity, an external power supply module must be present in the image editing device, paragraphs 0019-0028.).

Consider claim 13, Kaoru teaches:

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A method for editing image data captured by a phone camera (figure 5), wherein the phone camera (40, figures 1 and 4) comprises a housing (see figures 1 and 4) and a connecting port (45) installed on the housing of the phone camera (40), the method comprising:

- (a) providing an image editing device (10, figures 1-3);
- (b) transmitting data received captured by the phone camera to the image editing device (S2, figure 5, paragraphs 0034-0039);
- (c) adding special effects to image data editing the data captured by the phone camera with the image editing device (S3, paragraphs 0040-0042); and
- (d) transmitting the data edited by the image editing device to a mobile phone (S7, paragraphs 0049-0050).

Consider claim 14, and as applied to claim 13 above, Kaoru further teaches:

the image editing device (10) further comprises:

a housing (11);

a receiving module (35) installed inside the housing (11) of the image editing device (10) for connecting to the connecting port (45) of the phone camera (40) and receiving data from the phone camera (paragraph 0037);

an editing module (CDROM, 28 and "hard disk", 27) installed inside the housing of the image editing device (see figure 3) for editing data received by the receiving module (The editing module contains various programs which perform the, "edit of the program, the photography, and the photographic subject image" paragraph 0027. The



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special effects include scribble functions, color, lightness, contrast adjustments, frame processing and scaling, paragraph 0056. See also paragraphs 0040-0042.);

a memory(ROM, 24 and RAM, 25, figure 3) installed inside the housing of the image editing device(see figure 3) for storing data(paragraph 0024);

a control module("control unit", 21) installed inside the housing of the image editing device(see figure 3, paragraph 0023) for controlling the image editing device(paragraphs 0023-0026); and

an outputting module("communication link port", 35, paragraph 0026) for outputting data to the mobile phone(paragraphs 0049-0050).

Consider claim 17, and as applied to claim 14 above, Kaoru further teaches the image editing device(10) further comprises a plurality of control buttons(51-56, figure 6) installed on the housing of the image editing device(10, see figure 6) for inputting a control signal(paragraphs 0041-0043).

Consider claim 18, and as applied to claim 14 above, Kaoru further teaches:

A touch panel installed on the housing of the image editing device for inputting a control signal(paragraphs 0041-0043).

Consider claim 19, and as applied to claim 13 above, Kaoru further teaches that the image editing device is a computer(See paragraphs 0019-0028 for the computing functions).



***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

7. Claims 5, 6, 7, 15, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kaoru(Japanese Patent Application Publication 2002-335369).

Consider claim 5, and as applied to claim 2 above, Kaoru teaches of communication modules with interface support for Bluetooth and infrared communication(see paragraph 0055). Kaoru also teaches, in paragraph 0055, that other communication interfaces can used. However, Kaoru does not explicitly teach that the transmitting module contains a USB interface.

However, **Official Notice** (MPEP 2144.03) is taken that both the concepts and advantages of using a USB interface are well known and expected in the art. The USB

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interface allows peripherals to be connected using a single standardised interface socket, to improve plug-and-play capabilities by allowing devices to be connected and disconnected without rebooting the computer. Other convenient features include powering low-consumption devices without the need for an external power supply and allowing some devices to be used without requiring individual device drivers to be installed.

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention to use a USB interface in the transmitting module taught by Kaoru for the advantage of enabling better compatibility between the image editing device and mobile phones.

Consider claim 6, and as applied to claim 1 above, Kaoru teaches of communication modules with interface support for Bluetooth and infrared communication(see paragraph 0055). Kaoru also teaches, in paragraph 0055, that other communication interfaces can used. However, Kaoru does not explicitly teach that the receiving module of the image editing device contains a Pop-Port interface.

However, **Official Notice** (MPEP 2144.03) is taken that both the concepts and advantages of using a Pop-Port interface are well known and expected in the art. The Pop-Port interface is a new interface of the next generation of mobile phones and users. Pop-Port interface is designed for the mobile environment and supporting advanced functions including support of high-speed data connectivity with USB properties through Pop-Port interface compatible data cables.

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Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention to use a Pop-Port interface in the receiving module taught by Kaoru for the advantage of enabling better compatibility between mobile phones and accessories.

Consider claim 7, and as applied to claim 1 above, Kaoru teaches of communication modules with interface support for Bluetooth and infrared communication(see paragraph 0055). Kaoru also teaches, in paragraph 0055, that other communication interfaces can used. However, Kaoru does not explicitly teach that the outputting module of the image editing device contains an RS-232 interface.

However, **Official Notice** (MPEP 2144.03) is taken that both the concepts and advantages of using an RS-232 interface are well known and expected in the art. The RS-232 interface is a standard feature for serial communications, such as modem connections, on many computers. RS-232 has largely been supplanted by other interface standards in computer products, although it is still used to connect legacy peripherals, industrial equipment (such as based on PLCs), and console ports. RS-232 is still quite common in point-of-sale (cash drawers, barcode, and magnetic stripe readers), amateur electronics and industrial measurement and remote-control devices, so computers made for such applications are still equipped with RS-232 ports.

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention to use an RS-232 interface in the outputting module taught

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by Kaoru for the advantage of enabling better compatibility between mobile phones and accessories by enabling connection with legacy peripherals.

Consider claim 15, and as applied to claim 14 above, Kaoru teaches of communication modules with interface support for Bluetooth and infrared communication(see paragraph 0055). Kaoru also teaches, in paragraph 0055, that other communication interfaces can used. However, Kaoru does not explicitly teach that the receiving module of the image editing device contains a Pop-Port interface.

However, **Official Notice** (MPEP 2144.03) is taken that both the concepts and advantages of using a Pop-Port interface are well known and expected in the art. The Pop-Port interface is a new interface of the next generation of mobile phones and users. Pop-Port interface is designed for the mobile environment and supporting advanced functions including support of high-speed data connectivity with USB properties through Pop-Port interface compatible data cables.

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention to use a Pop-Port interface in the receiving module taught by Kaoru for the advantage of enabling better compatibility between mobile phones and accessories.

Consider claim 16, and as applied to claim 14 above, Kaoru teaches of communication modules with interface support for Bluetooth and infrared communication(see paragraph 0055). Kaoru also teaches, in paragraph 0055, that

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other communication interfaces can be used. However, Kaoru does not explicitly teach that the outputting module of the image editing device contains an RS-232 interface.

However, **Official Notice** (MPEP 2144.03) is taken that both the concepts and advantages of using an RS-232 interface are well known and expected in the art. The RS-232 interface is a standard feature for serial communications, such as modem connections, on many computers. RS-232 has largely been supplanted by other interface standards in computer products, although it is still used to connect legacy peripherals, industrial equipment (such as based on PLCs), and console ports. RS-232 is still quite common in point-of-sale (cash drawers, barcode, and magnetic stripe readers), amateur electronics and industrial measurement and remote-control devices, so computers made for such applications are still equipped with RS-232 ports.

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention to use an RS-232 interface in the outputting module taught by Kaoru for the advantage of enabling better compatibility between mobile phones and accessories by enabling connection with legacy peripherals.

8. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kaoru (Japanese Patent Application Publication 2002-335369) in view of Wendelrup (US 2002/0066115).

Consider claim 20, and as applied to claim 19 above, Kaoru teaches of communication modules with interface support for Bluetooth and infrared

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communication(see paragraph 0055). Kaoru also teaches, in paragraph 0055, that other communication interfaces can used. However, Kaoru does not explicitly teach that the image editing device is connected to the phone camera and the mobile phone by cables.

Wendelrup is similar to Kaoru in that Wendelrup teaches of transmitting images between different devices including mobile phones, cameras, and displays(see figures 3-5, paragraphs 0038-0043).

However, in addition to the teachings of Kaoru, Wendelrup teaches that the multiple devices are connected using cables(26 and 32, paragraphs 0038, 0042, and 0043, figures 3-5).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention to use cables as taught by Wendelrup to connect the image editing device to the phone camera and the mobile phone taught by Kaoru for the benefit of creating a versatile interface in which multiple different image apparatuses can be connected, regardless of the specific protocols of the different devices(Wendelrup, paragraph 0006).

### ***Conclusion***

9. All objections to the specification and claims are hereby removed in view of Applicant's response.

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

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§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Albert H. Cutler whose telephone number is (571)-270-1460. The examiner can normally be reached on Mon-Fri (7:30-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ngoc-Yen Vu can be reached on (571)-272-7320. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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AC



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SUPERVISORY PATENT EXAMINER